

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Simon Wang	Team: Team # 1	CCRB Case #: 201109717	<input checked="" type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Saturday, 07/23/2011 9:59 PM	Location of Incident: in front of § 87(2)(b)	Precinct: 75	18 Mo. SOL 1/23/2013	EO SOL 1/23/2013	
Date/Time CV Reported Sun, 07/24/2011 10:07 PM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Wed, 07/27/2011 1:33 PM		

Complainant/Victim	Type	Home Address
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)

Subject Officer(s)	Shield	TaxID	Command
1. POM Kaz Daughtry	28690	940052	075 PCT
2. An officer			

Officer(s)	Allegation	Investigator Recommendation
A. An officer	Force: An officer used physical force against § 87(2)(b)	§ 87(2)(b)
B. An officer	Force: An officer used pepper spray against § 87(2)(b)	§ 87(2)(b)
C. POM Kaz Daughtry	Force: PO Kaz Daughtry pointed his gun at individuals.	§ 87(2)(b)

Case Summary

On July 24, 2011, § 87(2)(b) filed the following complaint with IAB. On July 27, 2011 the complaint was received at the CCRB via referral number 11-33920. On July 23, 2011 at approximately 11:06 p.m. § 87(2)(b) was at a party at her cousin § 87(2)(b)'s house at § 87(2)(b) in Brooklyn when she saw § 87(2)(b) being arrested by two police officers outside. A white male officer kicked § 87(2)(b) in the stomach while he was on the ground, while PO Kaz Daughtry was attempting to handcuff § 87(2)(b). § 87(2)(b) called IAB to report the incident. Individuals from the party exited the house and formed a crowd outside. PO Daughtry took out his firearm and pointed the gun at the crowd, and instructed them to back away. § 87(2)(b) stated that approximately 50 individuals were at the party, but she did not recall the names of any of the individuals outside when the gun was pointed. Someone in the crowd shouted "We need badge numbers!" PO Daughtry shouted back his badge number, which § 87(2)(b) did not recall when speaking with the undersigned investigator, but relayed to the IAB officer on the phone upon initially filing her complaint. § 87(2)(g)

§ 87(2)(b)

§ 87(2)(b)

On August 2, 2011, the undersigned investigator spoke to § 87(2)(b) and § 87(2)(b) by phone. § 87(2)(b) refused to be interviewed at the CCRB without § 87(2)(b)'s participation or permission. § 87(2)(b) stated that he did not have time to speak to the undersigned on that date. On August 24, 2011, § 87(2)(b) provided a statement by phone, but refused to schedule a CCRB interview without first consulting his civil attorney. On September 1, 2011, the undersigned spoke to § 87(2)(b) and he agreed to an interview for September 7, 2011 with § 87(2)(b) in attendance. On that date, § 87(2)(b) called before the scheduled appointment and rescheduled the appointment for September 9, 2011. § 87(2)(b) and § 87(2)(b) missed that appointment, so letters were sent to them on that date. On September 26, 2011, the undersigned spoke to § 87(2)(b) who stated that his civil attorney had advised him not to speak to the CCRB but requested that the undersigned contact the attorney. § 87(2)(b) did not recall his attorney's name or phone number. On October 5, 2011, § 87(2)(b) still did not recall his attorney's name or phone number, but knew he was being represented by the law firm of Rubenstein and Rynecki. On October 21, 2011, after identifying § 87(2)(b)'s attorney as § 87(2)(b) and making three unsuccessful calls to him, the undersigned contacted § 87(2)(b) and informed him that § 87(2)(b) had not been responsive to contacts. The undersigned also advised that the complaint would be closed if § 87(2)(b) did not contact the CCRB by October 28, 2011. On October 27, 2011, the undersigned received a voicemail from § 87(2)(b). The undersigned returned § 87(2)(b) call, and left a message with his receptionist. As of November 7, 2011, there has been no further contact from § 87(2)(b) or § 87(2)(b). A search of the Department of Corrections' inmate-locator indicated that § 87(2)(b) is not currently incarcerated in New York City. § 87(2)(g)

§ 87(2)(b)

§ 87(2)(b)

Team: 1

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Investigator: _____ Simon Wang _____ 11/17/11
Signature Print Date

Supervisor: _____
 Title/Signature Print Date

Reviewer: _____
 Title/Signature Print Date

Reviewer: _____
 Title/Signature Print Date